


# Ocean Area Planning in Oregon



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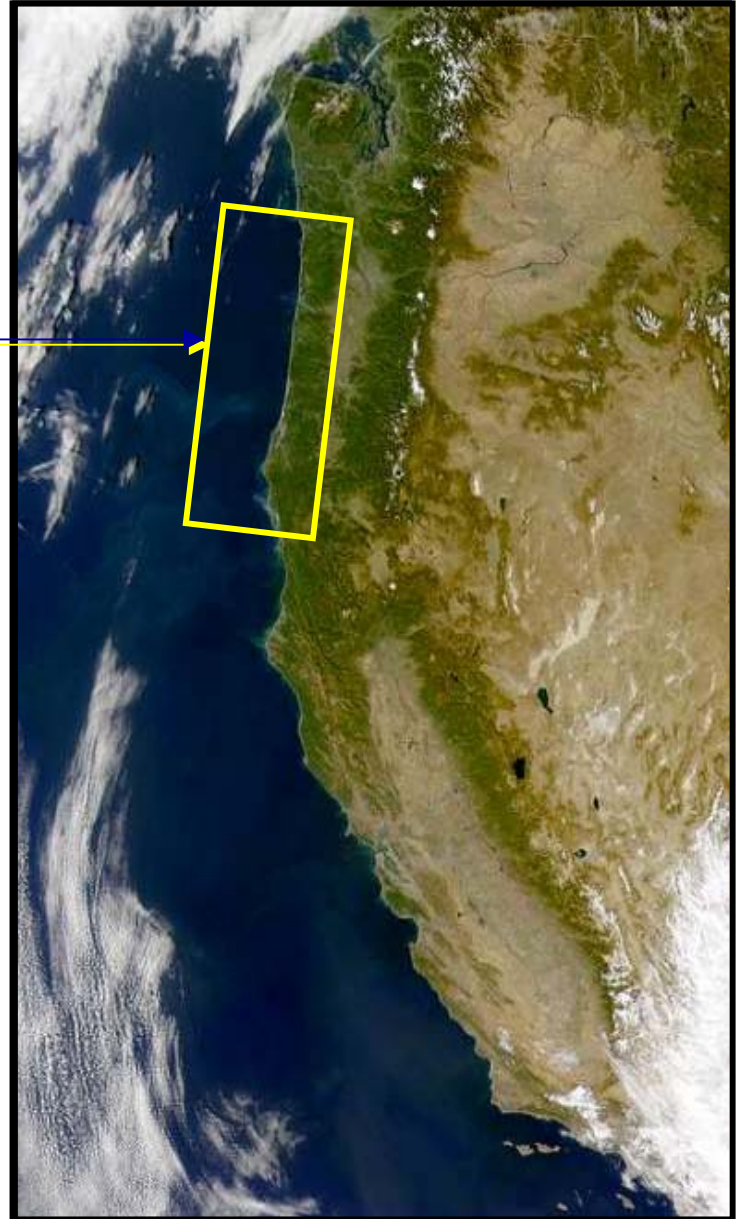
- 
- A photograph of a rocky coastline. In the foreground, several large, dark, jagged rocks are partially submerged in shallow, rippling water. The water extends towards the horizon, where more rocks are visible. The sky is filled with soft, white and grey clouds, suggesting an overcast day. The overall color palette is muted, with blues, greys, and dark browns.
- **Context for Oregon Ocean Planning**
  - **Ocean Program Background**
  - **Ocean Program Structure**
  - **What We've Done**



# Geographic Context

## California Current Region

**Oregon Ocean Area**



# Geographic Context

## Oregon Ocean Area

### ***Territorial Sea (3 n.m. wide)***

*(State waters: approx 1200 sq mi)*

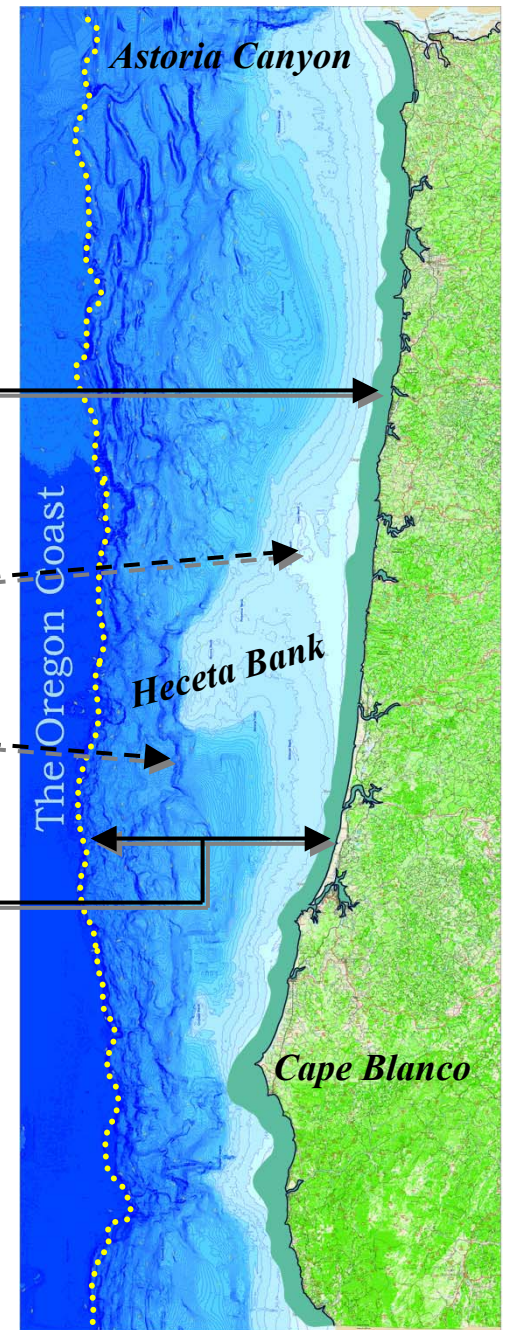
### **Continental Shelf**

### **Continental Slope**

*(Federal waters)*

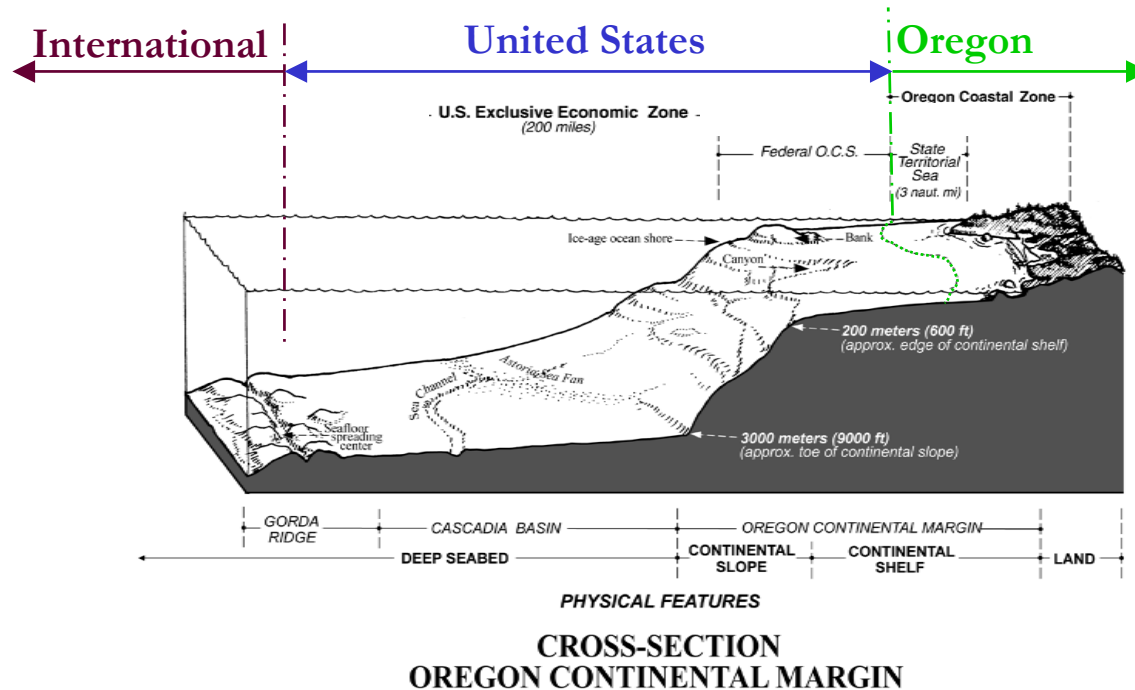
### ***Ocean Stewardship Area***

*(Assert interest, not jurisdiction : approx 12,000 sq mi)*



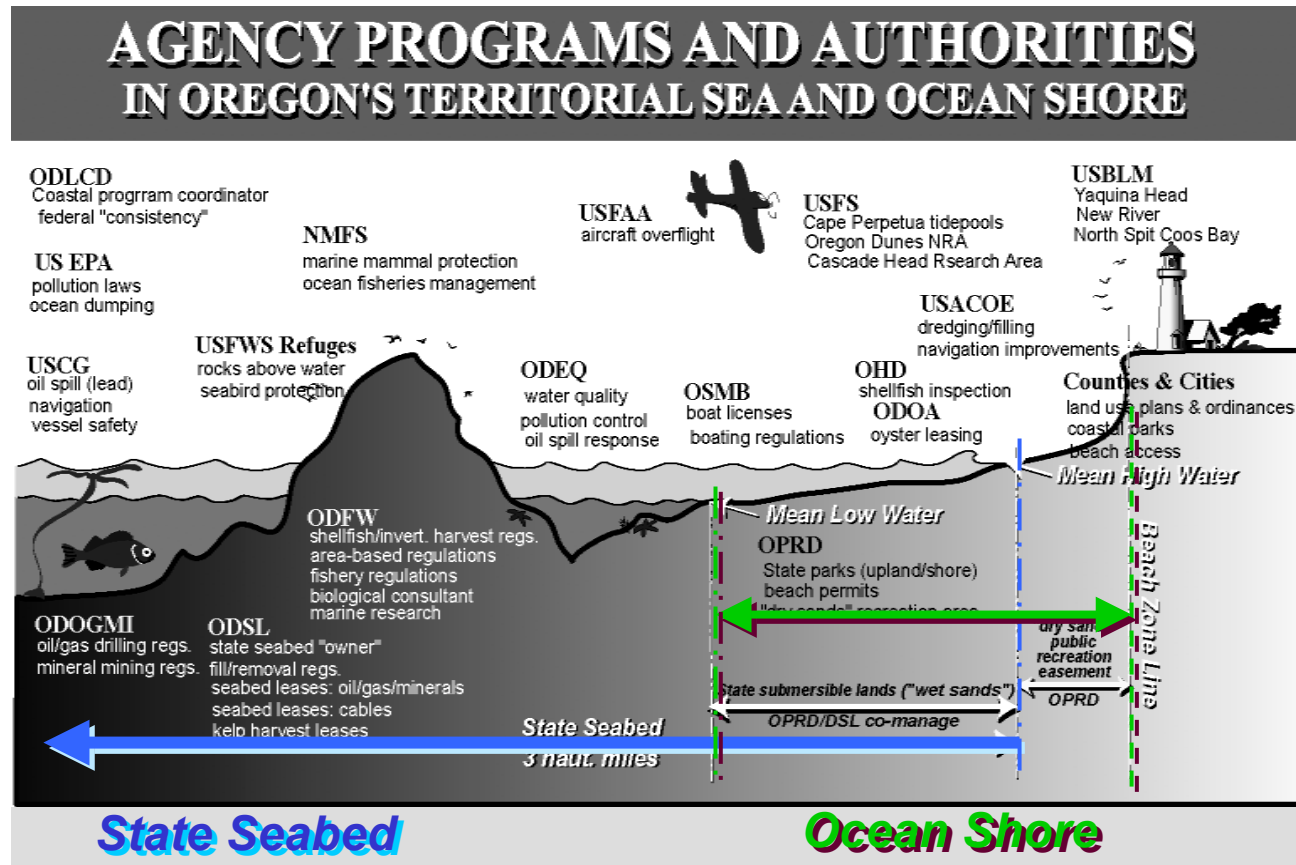
# Jurisdictional Context

## Nation-state Jurisdictions off the Oregon Coast



# Governmental Management Context

## The Oregon Coast and Ocean





# **Ocean Program Background**

## **Origin**

- **1983-1987**  
Federal oil, gas, & mineral proposals
- 1986-1987 Territorial Sea Study**
- **1987 Legislature:**  
Oregon Ocean Task Force: Ocean Plan
- **1991 Legislature:**  
ORS 196.405 -.515 Ocean Program

# Program Context for Ocean Planning

## Statewide Land Use Planning Program (1973)

### Statewide Planning Goals

- 1 Citizen Involvement
- 2 Land Use Planning
- 3 Agricultural Lands
- 4 Forest Resources
- 5 Natural Resource, Open Space
- 6 Air, Water, Land Quality
- 7 Natural Hazards
- 8 Parks & Recreation
- 9 Economic Development
- 10 Housing
- 11 Public Facilities/Services
- 12 Transportation
- 13 Energy Conservation
- 14 Urban Growth
- 15 Willamette River Greenway
- 16 Estuarine Resources
- 17 Coastal Shorelands
- 18 Beaches and Dunes
- 19 Ocean Resources

### State Agency Coordination & Review (DLCD)

### State Agency Programs/Laws

Dept. Land Conserv. & Development  
Dept. Environmental Quality  
Dept. Fish & Wildlife  
Dept. Water Resources  
Dept. Forestry  
Dept. Agriculture  
Dept. Transportation  
Dept. Parks & Recreation  
Dept. Geology & Mineral Industries  
Div. Health  
Div. State Lands  
etc

### Local Govt Plans, Ordinances

Cities  
Counties



## GOAL 16 ESTUARINE RESOURCES



### Coastwide Estuary Classification System

- Deep-draft
- Shallow-draft
- Conservation
- Natural

### Habitat-based Habitat-oriented

## **GOAL 17 COASTAL SHORELANDS**



### **Relates Shorelands to River, Estuary, Ocean**

- **Maintain integrity of water bodies;**
- **Water-related uses**
- **Water-dependent uses**
- **Protect habitats**

## **GOAL 18 BEACHES AND DUNES**

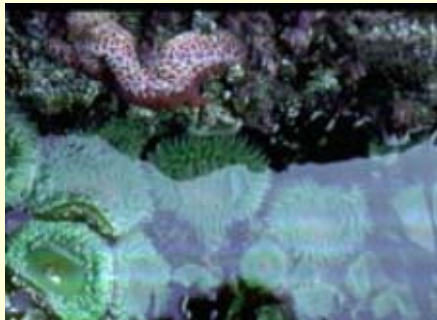


### **Recognizes Natural Shore Processes**

- Maintains foredune integrity
- Supports littoral cell approach
- Avoids hazards
- Protect habitats



# GOAL 19 OCEAN RESOURCES



## Conserves Ocean Resources

- Ecosystem-oriented
- Highest priority to living resources
- Protects important marine habitats & fishery areas
- Requires effects analysis based on information

# **Ocean Policy Context for Oregon**

## **Statewide Planning Goal 19, Ocean Resources**

**Adopted in 1977 by LCDC based on OCC&DC process**

**Amended in 2000 by LCDC after OPAC process**

**Goal: “ *To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.*”**

***“ Give higher priority to the protection of renewable marine resources--i.e., living marine organisms-- than to the development of non-renewable ocean resources”***

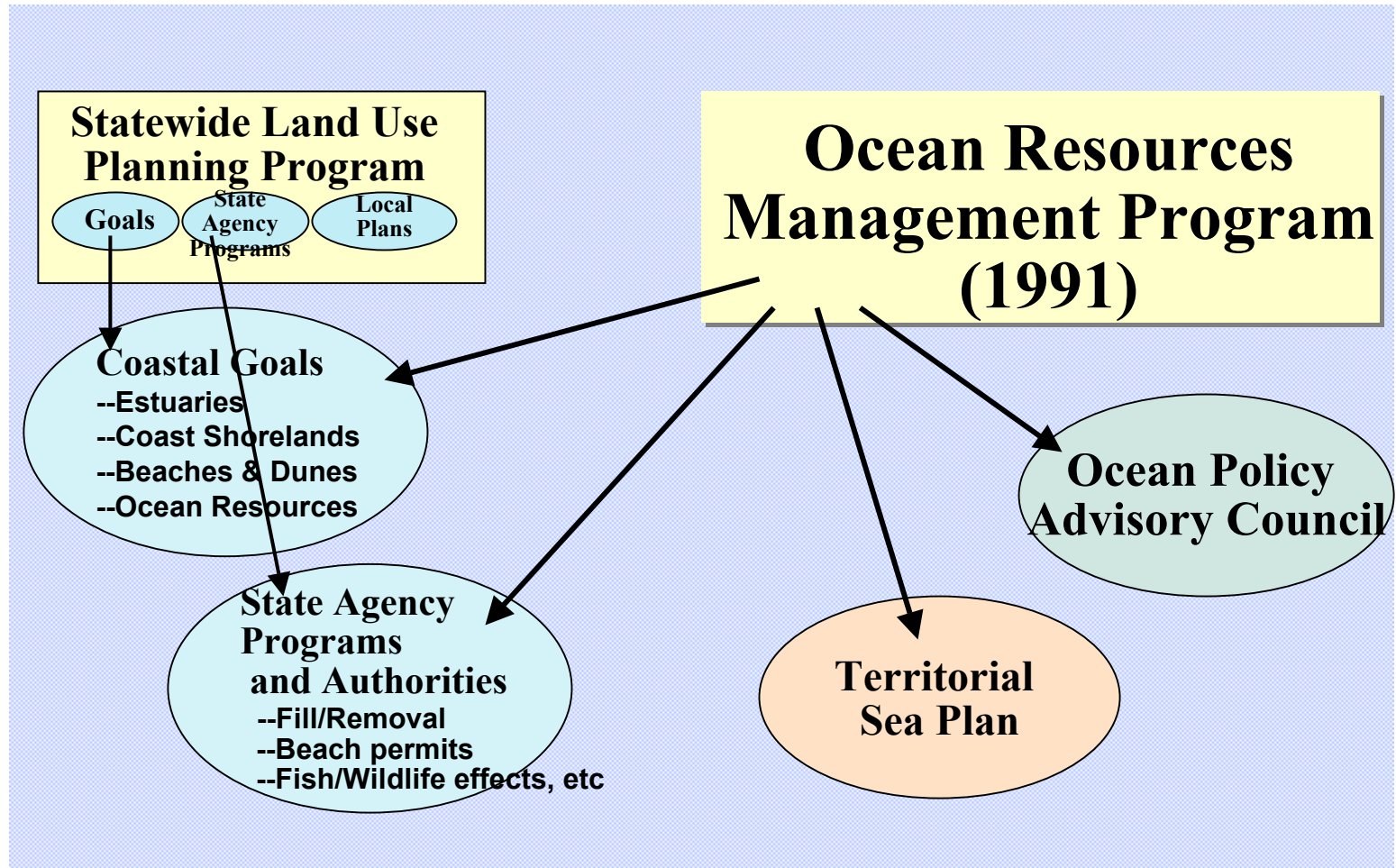
# Ocean Program Structure





# Program Structure for Ocean Planning

## Ocean Law (1987/1991)



# Ocean Program

## Ocean Policy Advisory Council

Office of Governor (ORS 196.438)

Staff by DLCD Coastal Program

- **Governor's Designee (chair)**

*Directors of*

- ODFW
- OPRD
- DSL
- DOGMI
- DEQ
- DOA
- DLCD
- Oregon Sea Grant

*Members appointed by the Governor*

- Coastal tribes
- Coastal city elected official
- Coastal county elected official

- Coastal ports
- Coastal local gov'ts association
- Coastal environmental group
- Non-fishing recreation
- No. coast sport fisheries
- No. coast commercial fisheries
- So. coast sport fisheries
- So. coast commercial fisheries
- Public-at-large
- Public-at-large
- Public-at-large

# Ocean Program

## State Agencies on Ocean Policy Advisory Council

### Dept. Agriculture

- oyster/shellfish leasing;
- regulates chemical use affecting shellfish;
- seafood-commodity commissions.

### Dept. Environmental Quality

- state pollution control agency;
- regulates point discharge into marine waters;
- oil spill prevention, response, plans, other;
- approves dredge and fill permits;
- CERCLA trustee.

### Dept. Fish and Wildlife

- enforces state fish and wildlife laws;
- regulates marine fisheries harvest;
- regulates intertidal harvest or collecting;
- protects marine mammals, seabirds, T & E species;
- "marine biological consultant"
- CERCLA trustee.

### Dept. Geology & Mineral Industries

- regulates oil, gas, or mineral explore and extraction;
- advises DSL on geological/seismic survey permits;
- provides info on coastal hazards and processes.

### Governor's Natural Resource Assistant

- Chair

### Dept. Land Conservation and Development

- Coastal Zone Management agency for Oregon;
- Ocean Program staff to Ocean Policy Advisory Council;
- administers Statewide Goal 19, Ocean Resources, others;
- oversees state-agency coordination requirements;
- administers federal consistency provisions in federal law.

### Parks and Recreation Dept.

- administers Oregon beach law and "Ocean Shore;"
- regulates sea walls, rip-rap, pipeline, cable crossings;
- regulates removal of products and "marine growth;"
- provides coastal recreation opportunities;
- operates state parks that access beach and rocky shores.

### Division of State Lands

- public trust trustee (beneath tidal and navigable waters);
- regulates removal - fill in waterways and wetlands;
- seafloor use lease (e.g. kelp harvest; oil / gas, cables, etc





## **Ocean Program**

### **Example Issues**

- **Territorial Sea Plan**
- **Rocky Shore Protection**
- **Modernize Goal 19**
- **Submarine Telecommunication Cables**
- **Marine Protected Areas**

# **Ocean Program**

## **Territorial Sea Plan (1994)**

### **Mandate from Legislature**

**Synthesis Description of Statutes, Programs**

**Standards for Ocean Projects**

**Rocky Shore Strategy**



# **Ocean Program**

## **Rocky Shore Strategy**

### ***PROBLEM:***

**Overuse of intertidal and rocky habitats**

**Habitat degradation**

**Lack of systematic management**

**Lack of awareness**

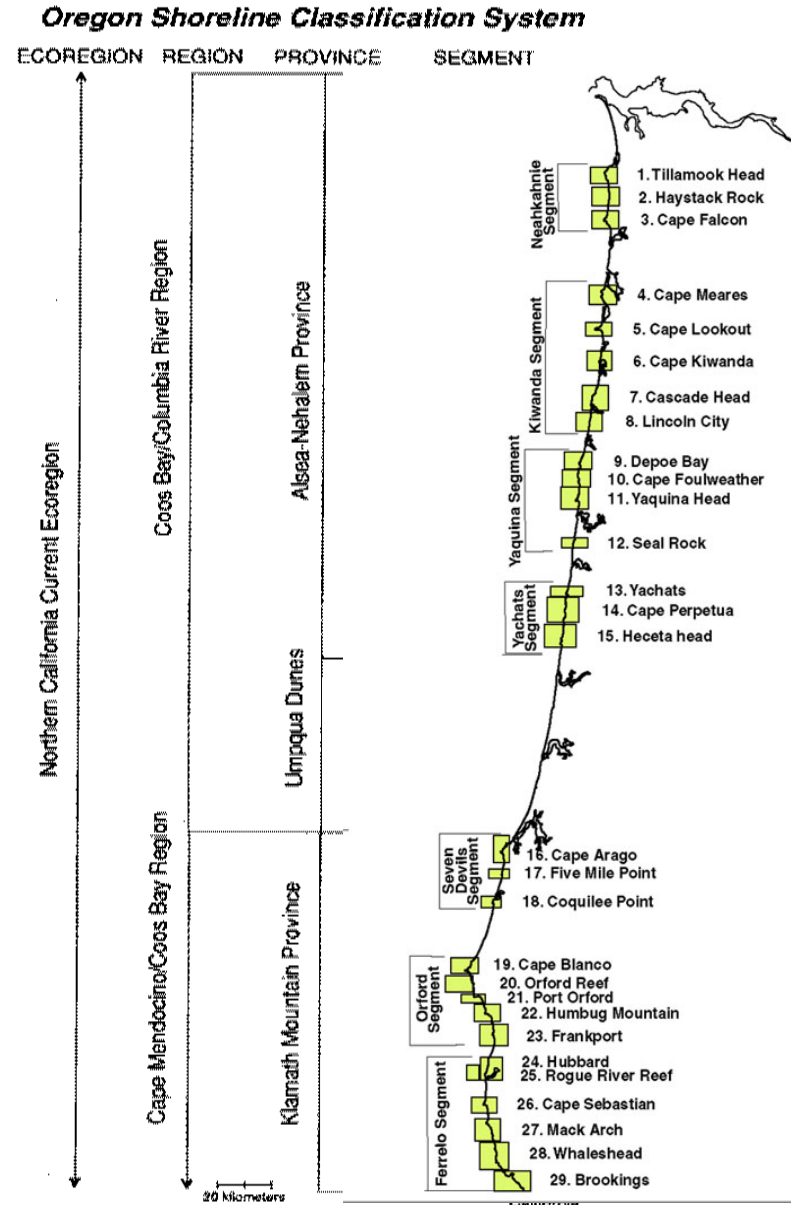




# Rocky Shores Strategy

## Territorial Sea Plan

### COASTWIDE Shoreline Classification System



# Goal 19 Modernization/Policy Update

## ***PROBLEM:***

### **Goal 19 showing its age**

- 1. Demands for ocean resources changed in Oregon and worldwide since 1977.**
- 2. Ocean conditions and human effects on the ocean are better understood.**
- 3. Goal 19 has not been effective in guiding complex decisions about some ocean issues.**
- 4. Oregon has ocean policy, planning, and management capability unavailable in 1977.**

# Goal 19 Modernization/Policy Update

## ***SOLUTION***

### ***REVISE GOAL TO:***

- **Retain original overall language**
- **Add Ocean Stewardship Area**
- **Emphasize biodiversity and ecosystem integrity**
- **Define “important habitat”**
- **Define “important fishery areas”**
- **Suggest Management Alternatives**
- **Retain Inventory and Effects Test**



# Uses of the Seafloor

## Submarine Telecommunication Cables

### ***PROBLEM:***

**Lack of Communication**

**Disruption to Fisheries**

**Vessel Safety**

**Disruption of Service**

**Coordination**

**Procedural clarity**



# Uses of the Seafloor

## Submarine Telecommunication Cables

### ***SOLUTION:***

#### **Policies:**

- 1. Protect fisheries & other uses**
  - a. Avoid conflict as first priority**
  - b. Reduce adverse effects**
  - c. Mitigate after a., b.**
- 2. Protect marine habitat, fishery areas as per Goal 19**
- 3. Promote direct communication between users**

#### **Implementation**

- 1. Burial**
- 2. Communication and coordination (written agreements)**
- 3. Control locations (conserve areas for fisheries, habitats, etc.)**
- 4. Point of contact**

# **Ocean Program**

## **Marine Protected Areas**

### ***PROBLEM:***



**Uncertainty and Policy questions raised by:**

- **Executive Order 13158 (May, 2000) directing national system of MPAs by federal agencies;**
- **Pacific Fisheries Management Council evaluation of Marine Protected Areas;**
- **NAFTA Commission on Environmental Cooperation Action Plan for MPAs for biodiversity;**
- **Reports by scientists on marine reserves and protected areas to conserve & restore ecosystems**



# **Ocean Program**

## **Marine Protected Areas**

### ***SOLUTION:***

**July 2000: Governor request to OPAC for report and recommendations on marine protected area issue.**

**Lengthy public process to assess issue**

**August 2002: Report & recommendation to Governor**



*Questions or Comments?*

*See also: <http://oregonocean.org>*

DLCD 07/25/03